

REMARKS

Claims 12-22 are pending. Claims 1-11 have been cancelled. No new matter has been added. The Office Action determined that the subject matter of cancelled claims 2, 3, 5-7, 10 and 11 is allowable if rewritten into independent form.

The Office Action has objected to the drawings for failure to show reference numeral 24a. Applicant respectfully asserts that pin 24a is shown in FIG. 1 (above reference numeral 29). Corrections have been made to FIGS. 1a and 2 to show 6", 19" and 38" and to correct the positioning of 5". Replacement drawing sheets are attached hereto. The specification and claims have been amended with respect to the remaining objections to the drawings.

The Office Action objects to the length of the abstract. The abstract has been amended and a clean copy attached hereto.

The Office Action objects to the use of multiple terms for certain elements. The specification has been amended to obviate this objection.

The Office Action objects to claims 4 and 9 for typographical errors. This objection is moot as to claims 4 and 9, which have been cancelled. These errors do not exist in the new claims.

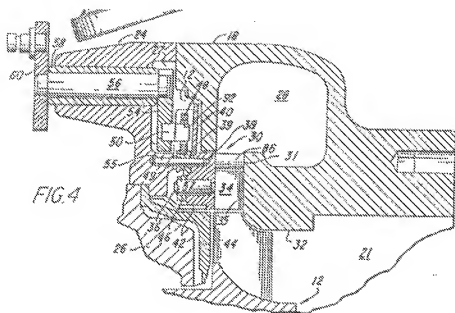
The Office Action rejects claim 8 under 35 U.S.C. §112, second paragraph as being indefinite. This rejection is moot as to claim 8, which has been cancelled. However, newly added claim 19 includes the subject matter of claim 8 of the roller contact surface (21) of the releasably connectable ring (6, 38) having a smaller diameter than the roller contact surface (20) of the control ring (5). As can be seen clearly from FIG. 4 roller contact surface 21 is

[WP:5/20/06 11]

concentrically aligned and radially inward of roller contact surface 20. Applicant respectfully requests that this rejection be withdrawn.

Claims 1, 4 and 9 are rejected under 35 U.S.C. 102(b) as being anticipated by Fleury (U.S. Patent Number 4,804,316). This rejection is moot as to claims 1, 4 and 9 which have been cancelled. Applicant respectfully asserts that Fleury does not disclose or suggest all of the features of claims 12-22 including the rollers (3), the control ring (5), the nozzle ring (6), the vanes (7), and a vane orientation mechanism (8, 19) being assembled as a modular unit (26) capable of being inserted into said housing (2) as one piece.

Fleury describes a suspension system for the pivoting vane actuation mechanism of a variable nozzle turbocharger. The Fleury system includes a unison ring 48 for rotating the plurality of vanes 34. Each vane 34 has a vane arm 46 associated therewith which connects the vanes to the unison ring 48 such that rotation of the unison ring causes pivoting of the vanes. The nozzle ring 32 is aligned with the turbocharger housing 18 via dowels 55 extending between the two. These dowels 55 also serve to carry rollers 49 thereon. The rollers 49 provide a surface on which the periphery of the unison ring 48 rides:



Fleury describes the use of spring 40 for loading the nozzle ring 38, which is positioned between a portion of the nozzle ring and the rollers 49:

Flange member 24 includes a recessed portion for acceptance of the actuation system as will be described below. Formed in flange member 24 is a shoulder 72 which acts in cooperation with bellville spring 40. The inboard side (that side facing the center housing) of the radially outer edge of spring 40 rests against the shoulder 72, and when assembled the outboard side of the radially inner edge of the spring acts against the shoulder portion 39 of nozzle ring 38 such that it loads the nozzle ring 38 and the pins 86 against the side wall 31. Shoulder 72 is continuous about flange 24 with the exception of a break to make room for the bell crank system defined below. (Fleury col. 4, lines 8-20).

Thus, Fleury does not disclose or suggest the feature of claims 12-22 of the rollers (3), the control ring (5), the nozzle ring (6), the vanes (7), and a vane orientation mechanism (8, 19) being assembled as a modular unit (26) capable of being inserted into said housing (2) as one piece.

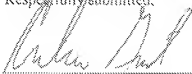
Accordingly, it is respectfully submitted that the claims are in condition for allowance. The Commissioner is hereby authorized to charge any additional fees which may be required at any time during the prosecution of this application without specific authorization, or credit any overpayment, to Deposit Account Number 50-0951.

Favorable consideration and early issuance of the Notice of Allowance are respectfully requested. Should further issues remain prior to allowance, the Examiner is respectfully requested to contact the undersigned at the indicated telephone number.

Date:

3/15/07

Respectfully submitted,



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